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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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FERENCE & ASSOCIATES
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EXAMINER

OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/808,312	DELIGNE ET AL.	
	Examiner	Art Unit	
	Michael N. Opsasnick	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-15 and 17 is/are rejected.
- 7) ☒ Claim(s) 8 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 8 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

2. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 8 and 16, Weinstein et al discloses a first input medium that is adapted to obtain the initial speech signal in an environment where noise corresponding to at least one interfering signal is present. Weinstein et al describes that the first signal detects the speech signal with some noise and the second signal, the interfering signal, consists of noise and some speech signal where the coupling of the signals are due to the unknown acoustic room environment (col. 5, lines 26-29). The Weinstein reference does not disclose or teach that the normalizing arrangement is adapted to apply a compensation term via assessing its expectation value over a plurality of codeword in the codebook.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 9-12, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flanagan et al (5737485) in view of Wynn (5781883).

As per claims 1, 9, and 17, Flanagan et al (5737485) discloses an apparatus, program, and method for compensating for interference in a speech recognition system comprising of a first input medium which obtain an initial speech signal, a second input medium which obtains at least one interfering signal, wherein said one interfering signal not be statistically independent of said initial speech signal (Flanagan et al (5737485) teaches extracting features from speech, separated from environment noise – col. 3 lines 65), a normalizing arrangement (as compensating for the environmental variations – col. 3 line 65 – col. 4 line 4) which reconciles the initial speech signal and at least one interfering signal with one another to produce a final speech signal and the normalizing arrangement being adapted to account for non-stationary noise in at least one interfering signal (and normalization with the other signals within the microphone array to separate the noise -- col. 5 lines 5-27).

Flanagan et al (5737485) does not explicitly teach performing the speech signal comparisons in real time, however, Wynn (5781883) teaches performing speech signal comparisons in real time (col. 3 lines 25-33, Fig. 3). Therefore, it would have been obvious to one of ordinary skill in the art of speech signal processing to modify the circuitry of Flanagan et al (5737485) to be performed in real time as taught by Wynn (5781883) because it would advantageously improve the effectiveness of the technique, especially in a telecommunication environment (Wynn (5781883), col. 2 lines 5-15).

As per claims 2&10, the combination of Flanagan et al (5737485) in Wynn (5781883) discloses a first input medium that is adapted to obtain the initial speech signal in an environment where noise corresponding to at least one interfering signal is present and said noise need not be linearly time invariant couple to said initial speech signal. (Flanagan et al (5737485) describes that the first signal detects the speech signal with some noise and the second signal, the interfering signal, consisting of noise and some speech signal where the coupling of the signals are due to the unknown acoustic room environment – col. 4 line 40 – col. 5 line 25).

As per claims 3 & 11, the combination of Flanagan et al (5737485) in Wynn (5781883) discloses that the second medium is adapted to obtain solely that at least one interfering signal. (Flanagan et al (5737485) ,col. 3 line 60 – col. 4 line 5).

As per claims 4 & 12, the combination of Flanagan et al (5737485) in Wynn (5781883) discloses that the final speech signal is a clean speech signal. Flanagan et al (5737485) discloses that the processor of the invention is responsible for reconstructing the desired speech signal “without the interfering signal” which implies a clean speech signal (Flanagan et al (5737485), fig. 13, the corrected cepstrum coefficients).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5 & 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Flanagan et al (5737485) in Wynn (5781883) in view of Beierle (5309378).

As per claims 5 & 13, the combination of Flanagan et al (5737485) in Wynn (5781883) discloses an apparatus for compensating for interference in speech recognition system comprising of a first input medium which obtains an initial speech signal, a second input medium which obtains at least one interfering signal, a normalizing

arrangement (Flanagan et al (5737485) describes that the first signal detects the speech signal with some noise and the second signal, the interfering signal, consisting of noise and some speech signal where the coupling of the signals are due to the unknown acoustic room environment – col. 4 line 40 – col. 5 line 25) which reconciles the initial speech signal and at least one interfering signal with one another to produce a final speech signal and the normalizing arrangement being adapted to account for non-stationary noise in at least one interfering signal.

The combination of Flanagan et al (5737485) in Wynn (5781883) does not disclose a normalizing arrangement adapted to estimate at least one characteristic from the reference signals given at least one characteristic of the initial speech signal. However, Beierle (5309378) teaches a signal conditioning device that amplifies, samples and digitizes the signal characteristics of the reference (interfering signal) as well as the speech signal [*Beierle describes that the primary and reference signal are coupled and that the adaptive canceller reduces the reference noise signals from the primary signal in order to increase the signal to noise ratio of the primary signal*] (Fig. 1(30); Col. 5, Line 38 - 50). The extraction of signal characteristics of the reference and signal is beneficial to some signal enhancement algorithms that perform continuous real-time noise cancellation. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the combination of Flanagan et al (5737485) in Wynn (5781883) by the utilization of characteristics of both the reference and signal as taught by Beierle

(5309378) since it is would have been beneficial for noise cancellation in speech signals (col. 5 lines 30-37).

7. Claims 6 & 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Flanagan et al (5737485) in Wynn (5781883) and Beierle (5309378) as applied to claims 5 & 13,above, and further in view of Sonmez et al. (U.S. Patent 5745872).

As per claims 6 & 14, the modified Flanagan et al (5737485) discloses an apparatus/method for compensating for interference in speech recognition system. In addition, a signal-conditioning device is also presented that processes the signal characteristics. Also, the modified Flanagan et al (5737485) addresses the issue of removing noise from the desired signal (Beierle, Col 5, Lines 30 - 35). However, the modified Flanagan et al (5737485) does not disclose that the normalizing arrangement is adapted to refer to a single codebook in estimating the signal at least one characteristic. However, Sonmez et al. teach the use of single codebook referring to a signal characteristic for use in a normalizing arrangement (Title, Fig. 1, Col 4, 27 - 40; Col 3, Line 25 - 45) [*Sonmez describes codebook(s) for at least one signal characteristic*]. Codebook vectors are used as a means of classifying speech features such as the spectra information. The classification of both static and dynamic features in a noisy environment is an asset in boosting speech recognition performance. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the modified Weinstein et al. by the utilization of single codebook to refer to at least in estimating at least one characteristic of the reference signal as taught by Sonmez since it

is would have been beneficial to the normalizing arrangement resulting in improved speech recognition (Sonmez, col. 2 lines 30-35).

8. Claims 7 & 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Flanagan et al (5737485) in Wynn (5781883), Beierle (5309378) and Sonmez et al. (U.S. Patent 5745872) as applied to claims 5 & 13 above, and further in view of Ammar et al. (Seventh National Radio Science Conference).

As per claims 7 & 15, the modified Flanagan et al (5737485) disclose an apparatus/method for compensating for interference in speech recognition system. In addition, a signal-conditioning device is also presented that processes the signal characteristics. The modified Flanagan et al (5737485) also disclose that the normalizing arrangement is adapted to refer to a codebook in estimating the signal characteristics. However, the modified Flanagan et al (5737485) do not disclose that the normalizing arrange applies a compensation term to the initial speech. However, Ammar et al. disclose the use of a compensation term *[as claimed]* to enhance the initial speech (Fig. 1). Many algorithms in speech enhancement use a compensation term on the initial speech as a means of adaptively suppressing the interference signals. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the modified Flanagan et al (5737485) by the use of a compensation term on the initial speech as taught by Ammar et al. since it is enhanced the initial speech resulting in improved speech recognition (summary).

Response to Arguments

9. Applicant's arguments filed 7/24/2006 have been fully considered but they are not persuasive. As per applicant's arguments on page 7 of the response toward Wynn teaching away from Flanagan, examiner notes that Wynn is teaching this aspect as an option when that particular reference is not available. That is, Flanagan offers a noise background, but in the event that the signal is dropped, Wynn has the capability to perform the calculation. The motivation to have this capability, as provided by Wynn, is demonstrated in the motivation to combine as shown above. As per applicant's arguments presented on page 8 of the response, examiner notes that it is the combination of Flanagan with the other references that needs to be considered for the real time implementation, that is, it is feasible for secondary references to introduce improvements upon the primary reference to introduce a real-time structure to teach such an event.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno
8/19/06


Michael N. Opsasnick
Examiner
Art Unit 2626